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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

LOVETT et al.

Examiner:

Unassigned

Serial No.:

10/821,248

Group Art Unit:

3762

Filed:

April 8, 2004

Docket No.:

GUID.618PA

(03-553)

Title:

RECONFIGURABLE SUBCUTANEOUS CARDIAC DEVICE

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence and the papers, as described hereinabove, are being deposited in the United States Postal Service, as first class mail, in an envelope addressed to:, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 2005.

By: Kelly S. Waltigney

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (37 C.F.R. §1.97(b))

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Forms 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted <u>before the mailing date of a first Office Action</u> on the merits for the above-identified application. Accordingly, <u>no fee is due</u> for consideration of the item(s) listed on the enclosed Form 1449.

One or more items were also first cited in a communication from a foreign patent office regarding a counterpart PCT application not more than three months prior to the filing of the information disclosure statement.

In accordance with 37 C.F.R. §1.98(a)(2), and the 05 August 2003 Official Gazette Notice, only a copy of each foreign document or non-U.S. patent/application listed on the enclosed Forms 1449 is provided.

App. Serial No. 10/821,248

Docket No. GUID.618PA

Supplemental Information Disclosure Statement

Please note that any notations or markings on the attached documents do not reflect

particular relevance, or lack thereof, to the present application, nor were they necessarily made by

anyone affiliated with the prosecution of the present application.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C.

§§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to

establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a

reference has been thoroughly reviewed or that any relevance of any portion of a reference is

intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of

M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Forms 1449, marked

as being considered and initialed by the Examiner, to the undersigned with the next official

communication.

Respectfully submitted,

Crawford Maunu PLLC 1270 Northland Drive

Suite 390

St. Paul, MN 55120

651/686-6633

Dated: February $\sqrt{\mathcal{D}}$, 2005

Reg. No. 38,491

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| Date Mailed: F | ebruary | <u>10</u> , | 2005 |
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Sheet 1 of 1

| FORM 1449* | | | |
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IN AN APPLICATION

(Use several sheets if necessary)

| Docket Number: | Application Number: |
|----------------|---------------------|
| GUID.618PA | 10/821,248 |
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Applicant: LOVETT et al.

Filing Date: April 8, 2004 Group Art Unit: 3762

| RADEM | ARKE | | U.S. PATENT DOCUMENT | s | | |
|---------------------|----------------|------------|----------------------|-------|----------|-------------------------------|
| EXAMINER INITIAL | DOCUMENT NO. | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
| | 5,601,607 | 02/11/1997 | ADAMS | | | |
| | 5,318,594 | 06/07/1994 | LIMOUSIN et al. | | | |
| | 2001/005790 A1 | 06/28/2001 | RIPART | | | |
| | 2003/023271 A1 | 01/30/2003 | KENKNIGHT et al. | | | _ |
| | 2002/147473 A1 | 10/10/2002 | CHEN et al. | | | |
| | 2002/183637 A1 | 12/05/2002 | HSU et al. | | | |
| | | F | OREIGN PATENT DOCUME | NTS | | |
| | DOCUMENT NO. | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION |
| | WO 00/09206 A | 24/02/2000 | WIPO | | | |
| | EP 1 234 597 A | 28/08/2002 | EPO | | | |
| | EP 1 304 137 A | 23/04/2003 | EPO | | | |

| 1 | | |
|---|----------|-----------------|
| | EXAMINER | DATE CONSIDERED |

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.